

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UPSHER-SMITH LABORATORIES, INC.,

Civil No. 16-cv-0556 (JRT/HB)

Plaintiff,

v.

FIFTH THIRD BANK,

**ORDER ON STIPULATION
TO AMEND SCHEDULING
ORDER (DKT. 54)**

Defendant.

Pursuant to the Stipulation to Amend Scheduling Order (ECF No. 66), entered into by the parties, and in consultation with District Judge John R. Tunheim's chambers,

IT IS HEREBY ORDERED that the Stipulation (ECF No. 66) is **APPROVED** and the Pretrial Scheduling Order (ECF No. 54) is hereby **AMENDED** as follows:

1. Fact discovery procedures must be commenced in time to be completed on or before **February 13, 2018**;
2. Non-dispositive motions and supporting documents, other than those seeking to amend or supplement the pleadings or relating to expert discovery, shall be filed and served on or before **February 28, 2018**. This includes motions relating to fact discovery and motions to amend the Scheduling Order;
3. Disclosure of the identities of expert witnesses under Rule 26(a)(2)(A), the full disclosures required by Rule 26(a)(2)(B) (including the written report prepared and signed by each expert witness), and the full disclosures required by Rule 26(a)(2)(C), shall be made as follows:

Identification by Plaintiff on or before **December 14, 2017**.

Rule 26(a)(2)(B) and 26(a)(2)(C) disclosures by Plaintiff on or before **December 14, 2017**.

Identification by Defendant on or before **January 30, 2018**.

Rule 26(a)(2)(B) and 26(a)(2)(C) disclosures by Plaintiff on or before **January 30, 2018**.

Rebuttal identification and Rule 26(a)(2)(B) and 26(a)(2)(C) disclosures by Plaintiff on or before **March 1, 2018**;

6. Expert discovery, including depositions, shall be completed by **April 2, 2018**.
7. All non-dispositive motions and supporting documents that relate to expert discovery shall be filed and served on or before **May 2, 2018**.
8. All dispositive motions and supporting documentation (notice of motion, motion, exhibits, affidavits, memorandum of law, and proposed order) shall be served and filed by the moving party on or before **April 16, 2018**.
9. This case shall be ready for a **jury** trial on **July 16, 2018**.

Dated: August 11, 2017

s/ *Hildy Bowbeer*
HILDY BOWBEER
United States Magistrate Judge